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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/765,553	01/27/2004	Frank Madda	30487/38612A

04743  
 MARSHALL, GERSTEIN & BORUN LLP  
 6300 SEARS TOWER  
 233 S. WACKER DRIVE  
 CHICAGO, IL 60606

CONFIRMATION NO. 2319

## FORMALITIES LETTER



\*OC000000012986950\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/27/2004 MAHME1 00000072 132855 10765553

FILED UNDER 37 CFR 1.53(b)

01 FC:2001		395.00 OP
02 FC:2051		65.00 OP
03 FC:2201	238.00 DA	162.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1,3, 4, 9-13.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$172** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$622** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$172**
  - **\$172** for 4 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 20, 2004

Signature:

*Matthias Abrell*  
(Matthias Abrell)

Attorney Docket No.: 30487/38612A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Frank Madda et al.

Application No.: 10/765,553

Filed: January 27, 2004

For: SPIRAL STENT ASSEMBLY

Art Unit: 3738

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 18, 2004, Applicants respectfully submit a Combined Declaration and Power of Attorney and Part 2 Copy of Notice, as well as replacement drawings ( 20 Sheets, 28 Figures).

The deadline, December 18, 2004, was on a Saturday and, therefore, this Response is timely filed within the fourth extended deadline.

Our check in the amount of \$622.00 covering the late oath or declaration filing fee, completing the basic filing fee, and the additional independent claims fee is enclosed. Also enclosed is a Petition for a Four-month Extension of time and a check in the amount of \$795.00 covering the government extension fee. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith

Application No.: 10/765,553

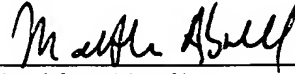
Attorney Docket No.: 30487/38612A

to our Deposit Account No. 13-2855, under Order No. 30487/38612A. A duplicate copy of this paper is enclosed.

Dated: December 20, 2004

Respectfully submitted,

By



Matthias Abrell

Registration No.: 47,377

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